

CHAPTER 5-CONSULTATION AND COORDINATION

5.1 INTRODUCTION

During the planning process for this Draft Resource Management Plan Amendment (RMPA)/Environmental Impact Statement (EIS), formal and informal efforts were made by the Bureau of Land Management (BLM) to involve other Federal agencies, State and local governments, and the public. BLM initiated the planning process in October 1998 by requesting comments to determine the scope of issues and concerns that needed to be addressed during the studies and in the document. As part of the resource inventory, members of the interdisciplinary team formally and informally contacted various relevant agencies to request data to supplement BLM's existing resource database. The Draft RMPA/EIS has been distributed to relevant agencies and the interested public for review and comments, which will be addressed in the Proposed RMPA/Final EIS.

The sections of this chapter describe these efforts including the formal consultation required, how this RMPA/EIS is consistent with other finalized plans, public participation activities throughout the process, and public review of the Draft RMPA/EIS. In addition, a list is provided of the individuals involved in the preparation and review of this document.

5.2 AGENCY CONSULTATION

BLM is required to prepare draft EISs in coordination with any studies or analyses required by the Fish and Wildlife Coordination Act (16 USC Sec. 661 et seq.), Endangered Species Act of 1973 (16 USC Sec 1531 et seq.), National Historic Preservation Act of 1966 (16 USC Sec. 470 et seq.), and other environmental review laws and executive orders. A description of the formal consultation relevant to this RMPA/EIS follows.

Consultation with the U.S. Fish and Wildlife Service (FWS) is required prior to initiation of any project by BLM that may affect any Federally listed special status species or its habitat in accordance with Section 7 of the Endangered Species Act of 1973. This RMPA/EIS is considered a major planning effort, and consultation has been initiated. On January 5, 1999, the FWS provided a list of Federally listed species that may occur in Sierra and Otero Counties. This letter is on file in the Las Cruces Field Office of BLM. An informal consultation meeting was held between the BLM and FWS on February 17, 1999 to discuss the scope of the RMPA/EIS and efforts to address Federally listed, proposed, and candidate species. A Biological Assessment is being prepared concurrently with the RMPA/EIS to address these potential effects.

The New Mexico Department of Game and Fish and the New Mexico Natural Resources Department also have been contacted in regard to State-listed threatened and endangered plant and animal species.

This is consistent with legislation protecting State-listed species. Coordination and consultation with the State will continue throughout the planning process and during implementation of the RMPA.

In addition, the BLM cultural resource management program operates in accordance with 36 CFR, Part 800, which provides specific procedures for consultation between the BLM and State Historic Preservation Office (SHPO). The SHPO has been consulted during the development of the RMPA concerning cultural resources. A copy of the Draft RMPA/EIS has been sent to the SHPO for review and comment. However, formal consultation with the SHPO is not required since no ground-disturbing activities will result from this RMPA/EIS for Federal fluid minerals leasing.

In accordance with the National Historic Preservation Act, efforts were made to identify and consider traditional cultural places. Letters were sent to five American Indian tribes to initiate discussions. The five tribes include the following:

- # Fort Sill Apache Tribe
- # Mescalero Apache Tribe
- # San Carlos Tribe
- # White Mountain Apache Tribe
- # Ysleta del Sur Pueblo

To date, written responses have been received from the San Carlos Tribal Council and Mescalero Apache Tribe.

5.3 CONSISTENCY WITH OTHER PLANS

The BLM planning regulations require that Resource Management Plans (RMPs) be “consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other Federal agencies, State and local governments, and Indian tribes, so long as the guidance and RMPs also are consistent with the purposes, policies and programs of Federal laws and regulations applicable to public lands...” (43 CFR 1610.3-2). In order to ensure such consistency, finalized plans were solicited from Federal, State, and local agencies as well as tribal governments listed in Table 5-2 (at the end of this chapter). These same agencies will receive copies of this Draft RMPA/EIS and will be asked to comment.

Section 202 of the Federal Land Policy and Management Act (FLPMA) of 1976 requires the BLM to coordinate land use planning activities with other Federal agencies, State and local governments and Indian tribes. FLPMA also requires BLM to ensure that consideration is given to non-Bureau plans that are pertinent to the development of the RMPA, assist in resolving inconsistencies between Federal and

non-Federal government plans, and to provide for meaningful public involvement of other Federal agencies, State and local government officials, and Indian tribes in the development of the RMPA.

At this time, there are no known inconsistencies between any of the alternatives and officially approved and adopted resource-related plans of other Federal agencies, State and local governments, and Indian tribes. Continuing coordination and consultation will take place during the public comment period on the Draft RMPA/EIS, Proposed RMPA/Final EIS, and the Record of Decision.

5.4 PUBLIC PARTICIPATION

The public participation process for the RMPA/EIS has been ongoing throughout the development of the Draft RMPA/EIS and will continue to the Record of Decision. In addition to formal public participation activities, informal contacts occur frequently with public land users, industry, and interested persons through meetings, field trips, telephone calls, or letters. All public participation applicable to the RMPA/EIS has been documented and analyzed as part of the planning process and kept on file in the Las Cruces Field Office.

5.4.1 Identification of Issues

The RMPA/EIS and scoping process officially began on October 15, 1998, with the publication in the *Federal Register* of BLM's Notice of Intent to amend the RMP, prepare an EIS, and conduct public scoping meetings. This notice invited the general public as well as Federal, State, and local government agencies to identify issues and submit comments regarding the proposed RMPA/EIS.

In addition to the Notice of Intent, the BLM prepared a scoping notice to send to interested parties. The scoping notice included a brief letter from the Las Cruces Field Office Manager, a newsletter, and a comment form. The notice provided background information and descriptions of fluid minerals leases and RMPs, announced the preparation of the RMPA and EIS, explained the planning process, project schedule, agency responsibilities, and announced the public scoping meetings and other public participation opportunities. The scoping notice was distributed to approximately 700 agencies, and interested organizations and individuals in early October 1998. The mailing list will continue to be reviewed and updated throughout the RMPA/EIS process.

Also, a media release introducing the project and announcing the scoping meetings was prepared and issued on October 21, 1998 by the BLM to local and regional newspapers, television, and radio.

Three public scoping meetings were held in early November 1998 to obtain input on issues and planning criteria, and determine the scope of the RMPA/EIS. Several displays illustrating or explaining components of the RMPA/EIS were stationed around the meeting room for those in attendance to review. Each meeting began with a presentation by BLM representatives after which comments and questions were received from the public. Table 5-1 summarizes the public meeting attendance and number of oral comments.

TABLE 5-1
PUBLIC SCOPING MEETING ATTENDANCE AND COMMENTS

Meeting Date	Meeting Location	Number in Attendance	Number of Oral Comments Received
Meeting, November 2, 1998	Roswell, New Mexico	18	65
Wednesday, November 4, 1998	Alamogordo, New Mexico	8	15
Thursday, November 5, 1998	Truth or Consequences, New Mexico	9	22
Total		35	102

In addition to the comments received during the meetings, a total of 36 comment forms and letters were submitted to BLM. Scoping ended on November 16, 1998; however, additional comments were accepted after that date.

A Summary Scoping Report was issued in January 1999 that described the scoping process and summarized the public comments and issues obtained.

5.4.2 Other Public Participation

Informal coordination with relevant agencies and interested public has taken place throughout the planning process through personal contacts, small group meetings, and letters, and will continue throughout the remainder of the planning process.

5.4.3 Public Review of the Draft RMPA/EIS

The next official opportunity for public participation in the planning process will occur during the agency and public review and comment period on this Draft RMPA/EIS. Concurrent with the distribution of this Draft RMPA/EIS, a BLM Notice of Availability was published in the *Federal Register* announcing the availability of the Draft RMPA/EIS for public review and comment. The EPA Notice in the *Federal Register* marks the beginning of the 90-day review and comment period.

Comments, including names and street addresses of respondents, will be available for public review at the BLM Las Cruces Field Office, 1800 Marquess, Las Cruces, New Mexico, 88005, during regular business hours (7:45 a.m. to 4:30 p.m.), Monday through Friday, except holidays, and may be published as part of the RMPA/EIS. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

5.4.4 Public Hearing

About midway through the 90-day review period, BLM will conduct public hearings to listen to and understand the public's comments on the Draft RMPA/EIS. An open house will precede the hearing to provide opportunity for people to view maps and other information displays and to ask questions about the planning process and its results. A hearing officer will conduct the hearing allowing individuals to formally provide comments on the Draft RMPA/EIS. The dates and locations of the hearings also were announced in the Notice of Availability and the "Dear Reader Letter" at the beginning of this document.

5.4.5 Proposed RMPA/Final EIS

All written and oral comments received during the 90-day period will be compiled, analyzed, and summarized. A Proposed RMPA/Final EIS will be prepared that addresses the comments and provides responses to each comment received on the Draft RMPA/EIS. The Proposed RMPA/Final EIS will contain additional information as needed to support the responses to the comments. Following publication of an Notice of Availability in the *Federal Register*, distribution of the Proposed RMPA/Final EIS, a 60-day Governor's Consistency Review, and a 30-day public protest period, the BLM will issue a Record of Decision summarizing the findings and decisions regarding the preferred alternative and its determination regarding compliance with NEPA and other regulations. Also, the RMPA will be prepared to document the resource management decisions and complete the BLM's resource management planning process for Federal fluid minerals in Sierra and Otero Counties, New Mexico.

5.5 DISTRIBUTION OF THE DRAFT RMPA/EIS

Table 5-2 is a partial list of various Federal, State and local agencies, organizations, Indian tribes, and individuals to whom this Draft RMPA/EIS has been sent for review and comment.

TABLE 5-2
LIST OF DOCUMENT RECIPIENTS

<u>Federal</u>
Department of Agriculture
Agriculture Research Service
Jornada Experimental Range
Agricultural Stabilization and Conservation Service
Animal Damage Control
Rural Development
Forest Service
Natural Resources Conservation Service
Department of Commerce
Department of Defense
Department of the Air Force
Holloman Air Force Base
Department of Army
Corps of Engineers
Fort Bliss
McGregor Range
White Sands Missile Range
Department of Energy
Western Area Power Administration
Department of Justice
Immigration and Naturalization Service Border Patrol
Department of the Interior
Bureau of Indian Affairs
Bureau of Reclamation
Fish and Wildlife Service
Geological Survey
National Park Service
White Sands National Monument
Natural Resources Library
Office of Environmental Policy and Compliance
Department of Transportation
Department of Treasury
Customs Service
Environmental Protection Agency
Federal Highway Administration
International Boundary and Water Commission

TABLE 5-2
LIST OF DOCUMENT RECIPIENTS

New Mexico State Agencies

Agriculture Department
 Agricultural Programs and Resources Division Livestock Board
 Bureau of Mines and Mineral Resources
 Commerce and Industry Department
 Department of Finance and Administration
 Office of Cultural Affairs
 Museum of New Mexico
 Historic Preservation Division
 Department of Game and Fish
 Department of Public Safety
 State Police Division
 Energy and Minerals Department
 Forestry and Resources Conservation Division
 Energy Conservation and Management Division
 Mining and Minerals Division
 Oil, Gas, and Minerals Division
 Parks and Recreation Division
 Governor's Office
 Environment Department
 Environmental Protection Division
 Waste and Water Management Division
 Surface Water Quality
 Highway and Transportation Department
 Human Services Department
 Office of Indian Affairs
 Land Office
 Commissioner's Office
 New Mexico State University
 New Mexico National Guard
 General Services Department
 Radio Communications Bureau
 State Engineer/Interstate Stream Commission
 Taxation and Revenue Department
 University of New Mexico

Congressional Delegation and New Mexico State Legislators

U.S. Senator Jeff Bingaman
 U.S. Senator Pete V. Domenici
 U.S. Congressman Joe Skeen
 State Senator, District 35
 State Senator, District 39
 State Senator, District 40
 State Representative, District 51
 State Representative, District 52
 State Representative, District 53

TABLE 5-2
LIST OF DOCUMENT RECIPIENTS

Congressional Delegation and New Mexico State Legislators, continued

State Representative, District 53

Local and Regional Governments, Agencies, and Indian Tribes

Chambers of Commerce (Alamogordo, El Paso, and Truth or Consequences)

Caballo Soil and Water Conservation District

Cities of Alamogordo, El Paso, and Truth or Consequences

El Paso County Commissioners

Elephant Butte Irrigation District

Fort Sill Apache

Jornada Resource Conservation and Development Council

Mescalero Apache Tribe

Otero County Commissioners

Otero County Electric Cooperative, Inc.

Otero County Public Land Use Advisory Council

Otero Soil and Water Conservation District

San Carlos Apache Tribe

Sierra County Commissioners

Sierra County Livestock Committee

Sierra Soil and Water Conservation District

Southeastern New Mexico Economic Development District

Village of Tularosa

Village of Williamsburg

White Mountain Apache

Ysleta del Sur

Other Groups/Individuals

Addwest Minerals Company

AMOCO Production Company

Bartoo Sand & Gravel, Inc.

Brighton Corporation

Burlington Resources

Cibola Energy Corporation

Exxon Coal and Minerals Company

Gas Company of New Mexico

Grazing Permittees in Sierra and Otero Counties (160)

Greystone

Harvey E. Yates Company

Horne Engineering Services

Independent Petroleum Association of Mountain States

Marathon Oil

Mobil Oil

New Mexico Cattle Growers Association

TABLE 5-2
LIST OF DOCUMENT RECIPIENTS

Other Groups/Individuals (continued)
New Mexico Farm & Livestock Bureau New Mexico Oil & Gas Association PermitsWest, Inc. People for Preservation of the Caballo Mountains Prairie Dawgs Motorcycle Club PRESCO, Inc. Public Service Company of New Mexico Sierra Club - Southern New Mexico Group, Rio Grande Chapter Sierra County Farm & Livestock Bureau Southwest Center for Biological Diversity Southwest Minerals Exploration Association Southwest New Mexico Grazing Association Southwest Research & Information Center Sun Valley Corporation T&E, Inc. Texaco, Inc. The Black Range Lodge The Rudman Partnership White Sands Cycling Club Wildlife Management Institute

5.6 LIST OF PREPARERS AND REVIEWERS

An interdisciplinary team of resource specialists prepared the RMPA/EIS. Table 5-3 lists the team members, job titles, and responsibility associated with the RMPA.

TABLE 5-3
LIST OF PREPARERS AND REVIEWERS

Name/Title	RMPA/EIS Responsibility	Education	Experience
Bureau of Land Management			
Theresa Hanley Archaeologist, Land Use Planner	Team Leader (October 1998 - October 1999)	BA, Anthropology MA Anthropology	13 years, cultural resource management, land use planning
Tom Phillips Rangeland Specialist Land Use Planner	Team Leader (October 1999 - Present)	BS, Range Science	16 years, rangeland management, land use planning
Russ Jentgen Geologist	Minerals	BS, Geology	30 years, minerals resource management

**TABLE 5-3
LIST OF PREPARERS AND REVIEWERS**

Name/Title	RMPA/EIS Responsibility	Education	Experience
Joe Sanchez Natural Resource Specialist	Recreation, Visual Resources, Wilderness	BS, Range Science	25 years, natural resource management
Mark Hakkila Outdoor Recreation Specialist	Off-highway vehicles, wilderness	BS, Wildlife Science MS, Range Science	17 years, natural resource management
Bruce Call Soil Scientist	Soil, Water Resources	BS, Range/Soil Science	23 years, natural resource management
Scott Archer Environmental Scientist	Air Quality, Noise	BS, Chemistry, Environmental Science	20 years, environmental analysis
Ray Aguilar Rangeland Management Specialist	Vegetation, Livestock Grazing	BS, Range Science	20 years, range management
Mike Howard Wildlife Management Biologist	Wildlife, Special Status Species	MS, Wildlife Management	21 years, wildlife management
Bill Merhege Wildlife Management Biologist	Special Status Species (Aplomado Falcon)	BS, Wildlife Science	21 years, wildlife management
Juan Padilla Realty Specialist	Land, Access	Business	20 years, lands and realty
Pam Smith Archaeologist	Cultural Resources	BA, anthropology	25 years, cultural resource management
Mike O'Neill Physical Anthropologist	Paleontological Resources	BA, Physical Anthropology MA, Physical Anthropology	BLM, 23 years, Paleontology
Tom Custer Physical Scientist-Hazmat	Hazardous Materials	BS, Geology	10 years, hazardous materials
Butch Wilson Fuel Management Team Leader	Fire Management	BS, Range Science	25 years, fire management
Jeanette Pranzo Social Economist	Social and Economic Conditions	MA, Economics	29 years, socio- economic analysis
Rusty Stovall Geographer	GIS Coordinator	MS, Geography	6 years, geographic information systems (GIS) management
Rena Gutierrez Writer/Editor	Writer/Editor	BA, Journalism/Mass Communications	21 years, technical writing and editing
Bill Gilbert Natural Resource Specialist	Planning and Environmental Coordination	BS, Biology	24 years, NEPA compliance and land use planning
Tim Sanders Lands & Minerals Staff Supervisor	Management Oversight	MS, Agricultural Economics	22 years, resource management, budget analyst

**TABLE 5-3
LIST OF PREPARERS AND REVIEWERS**

Name/Title	RMPA/EIS Responsibility	Education	Experience
David Sinclair Budget Officer	Contracting Officer's Representative	BS, Chemistry MS, Geology	28 years, resource management, budget analyst
Gary Stephens Geologist	New Mexico State Office Coordinator	BS, Geology	25 years, minerals resource management, policy, land use planning
J.W. Whitney Program Analyst/Planning	New Mexico State Office Planning and Environmental Coordinator	BS, Botany	32 years, NEPA compliance, policy, land use planning
Dames & Moore			
Cindy Smith Associate	Project Manager	BS, Liberal Arts and Sciences Graduate Studies, Anthropology	23 years, environmental consulting
Leslie Ellwood Biologist	Project Coordinator Special Status Species	MS, Ecology Mammology BA, Biology	12 years, environmental consulting
Jennifer Donahue Environmental Planner	Project Coordinator Lands, Access, Recreation, Special Management Areas, Social and Economic Conditions, Fire Management	MEP, Environmental Planning (pending) BA, Politics	4 years, land use planning, public involvement
Mike Doyle Environmental Planner	Lands, Access, Recreation, Special Management Areas, Fire Management	BS, Environmental Design	7 years, environmental consulting
Kerri Sitler Senior Hydrogeologist	Geology, Minerals, Groundwater	MS, Geology BS, Geology	11 years, environmental consulting
Doreen Hoskins Project Hydrologist	Groundwater	BS, Geology	4 years, environmental consulting
Mike Crouse Senior Hydrologist	Surface Water	BS, Watershed Sciences	15 years, environmental consulting
Pete Pendrak Project Hydrologist	Surface Water	BS, Geology	6 years, hydrology
Bill Polivka Project Hydrogeologist	Soils	BS, Geology	20 years, environmental consulting
A.E. Rogge, Director, Southwest Cultural Resources Services	Cultural Resources	PhD, Anthropology, MA, Anthropology BA, Anthropology	27 years, archaeology
Tom Carr Project Meteorologist	Air Quality	BS, Atmospheric Sciences	10 years, meteorology

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LIST OF PREPARERS AND REVIEWERS

Name/Title	RMPA/EIS Responsibility	Education	Experience
Jeff Fuller Senior Acoustician	Noise	BS, Environmental Health	15 years, noise and acoustics
Loren Hettinger Senior Ecologist	Vegetation, Habitat, Livestock Grazing	PhD, Ecology MS, Biology BS, Biology	27 years, environmental consulting
E. Linwood Smith Director, Biological Resources Study Group	Biological Resources Oversight	PhD, Zoology MS, Zoology BA, Zoology	26 years, environmental consulting
Kim Smith Otero Project Biologist	Wildlife	MEM, Environmental Management BA, Biology	16 years, environmental consulting
Teresa Suter-O'Neil Landscape Architect/Planner	Visual Resources	BSLA, Landscape Architecture	6 years, environmental consulting
David Luhan GIS Manager	GIS Coordinator	MA, Applied Geography, BA, Geography	9 years, GIS
John Wieber GIS Manager	GIS Coordinator	BA, International Affairs and Environmental Studies	3 years, GIS
Jennifer Wennerlund GIS Coordinator	GIS	BS, Geography	11 years, GIS, remote sensing
Peter Martinez GIS Analyst		BS, Geography MA, Geography	8 years, GIS
Shirley Wiley Technical Writer/Editor	Writer/Editor	Business Management Course Work	30 years, editing and document coordination
Keryn Darr Technical Writer/Editor	Writer/Editor	BA, English	4 years, environmental consulting
Jennifer Wallach Graphic Designer	Graphics	BA, Economics	2 years, graphic design